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JDL:TJS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. § 846)

ALEXANDRA RUSSELL,  
GLORIA SANTANA DE ARIAS,  
    also known as  
    "Gloria Arias,"  
NIXON VARGAS,  
    also known as  
    "Rudolfo Mejia,"

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

CHRISTOPHER COOKE, a Detective with the New York Police Department ("NYPD"), cross-designated as a federal agent and assigned to the Border Enforcement Security Task Force ("BEST"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between March 2012 and May 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants ALEXANDRA RUSSELL, GLORIA SANTANA DE ARIAS, also known as "Gloria Arias," and NIXON VARGAS, also known as "Rudolfo Mejia", together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled

substance, which offense involved one kilogram or more of a substance containing heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 846).

(Title 21, United States Code, Sections 846.)

The source of your deponent's information and the grounds for his belief are as follows:

1. On March 16, 2012, the Seaboard Marine Motor Vessel ("MV") Florida arrived in the Port of Miami, Miami, Florida from Haiti carrying shipping container SMLU 7810382. Container SMLU 7810382 was originally loaded on the MV Florida in Cartagena, Colombia. At the Port of Miami, that container was selected for inspection by Customs and Border Protection ("CBP").

2. During the course of inspection, CBP discovered, among other things, a brown couch wrapped in cardboard and labeled "ref. 2023" and "#21" (the "BROWN COUCH"). Upon further investigation, officers discovered three black-taped packages inside the couch. Each of those packages was probed and a white powdery substance, which field-tested positive for the presence of heroin, was discovered. The total approximate gross weight of the heroin is 5.7 kilograms.

3. The shipping documents indicated that container SMLU 7810382 was a consolidation of items from five separate parties being transported by LACS Cargo, Inc. An employee of

LACS Cargo, Inc. indicated that the BROWN COUCH was to be delivered to Angel Romero, 700 Miller Avenue, Brooklyn, NY 11207, with a phone number listed as 347-596-3157.

4. Following CBP's inspection, the couch was reconstructed and released to LACS Cargo, Inc. An employee of LACS Cargo, Inc. told agents that the couch was then provided to a transportation company for delivery to Angel Romero, 700 Miller Avenue, Brooklyn, NY 11207. On April 14, 2012, the shipping company attempted delivery at 700 Miller Avenue, Brooklyn, NY. An employee of the shipping company told agents that after finding that the address appeared to be an apartment building, an employee of the shipping company called 347-596-3157, the number listed as Angel Romero's on the shipping documents. An individual who identified himself as Angel Romero answered and stated that the couch was to be delivered to 600 Miller Avenue, Brooklyn, NY.

5. The shipping company took the couch to 600 Miller Avenue, Brooklyn, NY. A male answered the door of 600 Miller Avenue. Upon being asked for identification, the male raised his voice and claimed the furniture was not his and was for a friend. The male then refused delivery of the BROWN COUCH. The shipping company returned the BROWN COUCH to a warehouse in New Jersey.

6. An employee of the shipping company stated to agents that shortly after that attempted delivery, the driver of

the shipping company van received a call from a woman claiming that the BROWN COUCH belonged to her and asking that it be redelivered. The driver indicated that she would have to call the shipping company office on the next business day. The shipping company received numerous calls from the 347-596-3157 number requesting that the BROWN COUCH be re-delivered to 600 Miller Avenue.

7. On April 30, 2012, members of the BEST team took possession of the BROWN COUCH. On May 2, 2012, technicians associated with the BEST team installed a GPS tracking device and trip devices, pursuant to a warrant issued by Magistrate Judge Gorenstein of the United States District Court for the Southern District of New York. The GPS tracking device allows law enforcement officers to track the location of the BROWN COUCH. The trip devices were installed in the compartments on the bottom of the couch that previously contained heroin. Law enforcement agents also replaced sham drugs into the couch and sprayed the sham drugs with a fluorescing substance that is visible only under an ultraviolet light.

8. On May 2, 2012, law enforcement officers associated with the BEST team conducted a controlled delivery of the BROWN COUCH to 600 Miller Avenue, Brooklyn, New York. Law enforcement officers, operating in an undercover capacity, rang the bell of 600 Miller Avenue. A female ("FEMALE 1") answered the door and

let agents into the foyer of 600 Miller Avenue. FEMALE 1 called another female, later identified as GLORIA SANTANA DE ARIAS, also known as "Gloria Arias", who then came out of a door on the left of a hallway past the foyer that appeared to lead to an apartment. ARIAS indicated that the couch should be left in the foyer. Agents asked for identification and a signature. ARIAS provided a driver's license in the name of Angel Rodriguez, 2320 Aqueduct Ave, #1E, Bronx, New York 10468, who ARIAS indicated was the actual receiver of the couch. Agents then told her that there was a \$250 delivery charge. ARIAS provided \$260. ARIAS also signed the receipt for the BROWN COUCH. Agents then provided a copy of the receipt to ARIAS.

9. Shortly after agents left, a Silver Range Rover arrived at 600 Miller Avenue. Two individuals, later identified as ALEXANDRA RUSSELL and NIXON VARGAS, also known as "Rudolfo Mejia", got out of the Silver Range Rover and entered 600 Miller Avenue. Agents observed activity inside the foyer of 600 Miller Avenue. At approximately 6:30 p.m., a trip device activated indicating that a heroin-containing compartment in the couch had been opened.

10. At approximately 7:20 p.m., RUSSELL and VARGAS left 600 Miller Avenue and got into the Silver Range Rover. VARGAS got into the passenger side and RUSSELL into the driver's side. Agents approached the Range Rover and stopped RUSSELL and

VARGAS. An inspection with an ultraviolet light indicated a fluorescing substance on the clothing, hair and bodies of both RUSSELL and VARGAS.


11. Seeing that RUSSELL and VARGAS had left the door to the common foyer of 600 Miller Avenue unlocked, agents entered the foyer of 600 Miller Avenue. The BROWN COUCH was no longer in the foyer. While agents were in the foyer, GLORIA SANTANA DE ARIAS, also known as "Gloria Arias," opened the door on the left of the hallway past the foyer. Agents observed packing material from the BROWN COUCH immediately inside the door to that apartment. Agents entered the apartment that ARIAS was located in and detained her. An inspection with an ultraviolet light indicated a fluorescing substance on ARIAS' clothing, hair and body. An older woman who identified herself as ARIAS' mother was also present in the apartment.

12. At approximately 8:30 p.m., RUSSELL was asked for consent to search the Range Rover, which she provided. Agents then searched the Ranger Rover and discovered, among other things, the GPS tracking device that had been installed in the BROWN COUCH, the receipt for the shipment that agents had provided to ARIAS, and the driver's license in the name of Angel Rodriguez that had been shown to the agents executing the controlled delivery.

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13. At approximately 8:40 p.m., the older woman who identified herself as ARIAS' mother indicated to agents that the first floor left apartment was her apartment and gave agents consent to search the apartment. Inside the apartment, agents found, among other things, parts of the BROWN COUCH that had been deconstructed. Agents also found a gallon-sized plastic bag containing tools, such as pliers and scissors. Agents found other parts of the BROWN COUCH at the rear of 600 Miller Avenue.

WHEREFORE, your deponent respectfully requests that the defendants ALEXANDRA RUSSELL, GLORIA SANTANA DE ARIAS, also known as "Gloria Arias," and NIXON VARGAS, also known as "Rudolfo Mejia", be dealt with according to law.

 #1589  
CHRISTOPHER COOKE  
Detective  
New York Police Department  
Border Enforcement Security Task  
Force

Sworn to before me this  
3<sup>rd</sup> Day of May, 2012

UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK